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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/661,629

09/15/2003

Thomas J. Jentsch

2815-0236P

9386

2292 7590 02/20/2007
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EXAMINER

BALLARD, KIMBERLY A

ART UNIT

PAPER NUMBER

1649

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
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30 DAYS

02/20/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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20070205

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Commissioner for Patents

The amendment filed on December 28, 2006 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claim is not readable on the elected invention because it is drawn to a nucleic acid, which is an invention non-elected in response to the restriction requirement mailed June 26, 2006, and which is independent or distinct from the elected invention directed to an isolated polypeptide.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

ELIZABETH KEMMERER
PRIMARY EXAMINER

Kimberly Ballard, Ph.D.
February 5, 2007